

EXHIBIT A

Additions shown in **Bold Underline**

Deletions Shown in ~~Strikeout~~

1. The definitions contained in Section 15.48.030 of the Placer County Code are hereby amended as follows:

"15.48.030 Definitions.

* * *

"NPDES" means the National Pollutant Discharge Elimination System, a federal program regulating Stormwater discharges pursuant to sections 307, 402, 318, and 405 of the Clean Water Act (33 USC § 1251 et seq), as such Act may be amended from time to time.

* * *

"Stream Environment Zone" means perennial, intermittent, and ephemeral streams, meadows and marshes, and other areas of near-surface water influence.

* * *

"Watercourse" means any natural or manmade channel flowing continuously or intermittently in a definite direction and course or used for the holding, delay or storage of waters, which functions at any time to convey or store stormwater runoff.

At the discretion of the community development resource agency, the definition of natural channel may be limited to those channels having a watershed area of fifty (50) acres or more, and this definition will be commonly used in connection with the administration of this article except for those cases in which the **agency** ~~director of public works~~ determines that the definition must be extended to a natural channel with a watershed smaller than fifty (50) acres in order to prevent a condition which could possibly endanger property; be a hazard to public safety; adversely affect the safety, use or serviceability of adjacent property, public way or drainage channel, or could adversely affect the water quality of any water bodies or watercourses."

2. Section 15.48.040 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.040 Grading.

No person shall do or permit to be done any grading in such a manner that quantities of dirt, soil, rock, debris or other material substantially in excess of natural levels are washed, eroded or otherwise moved from the site, except as specifically provided for by a permit. **In no event shall grading activities cause**

or contribute to the violation of provisions of any applicable NPDES stormwater discharge permit."

3. Section 15.48.060 of the Placer County Code is hereby amended and restated in its entirety as follows:

15.48.060 Grading permit required.

~~Except for the specific exemptions listed in Section 15.48.070, no person shall do or permit to be done any grading on any site in the unincorporated area of Placer County without a valid permit obtained from the community development/resource agency. A permit shall also be required for the following:~~

- ~~A. Retaining walls which are over four feet in height; as measured from bottom of footing to top of the retained soil;~~
- ~~B. Any retaining walls that are subject to surcharge;~~
- ~~C. Private vehicular bridge;~~
- ~~D. Swimming pool fill operations whereby depth of fill for swimming pool construction exceeds four feet.~~

"A. Except for the specific exemptions listed in Section 15.48.070, no person shall do or permit to be done any grading on any site in the unincorporated areas of Placer County without a valid grading permit obtained from the community development resource agency.

A permit shall also be required for the following:

- 1. Retaining walls which are over four feet in height; as measured from bottom of footing to top of the retained soil;**
- 2. Any retaining walls that are subject to surcharge;**
- 3. Private vehicular bridge;**
- 4. Swimming pool fill operations whereby depth of fill for swimming pool construction exceeds four feet**

B. A grading permit is required for any grading and/or other construction activity with ground disturbance of one acre or more.

4. Section 15.48.070 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.070 Exemptions.

Unless in conflict with provisions of adopted general and/or specific plans, **or provisions applicable to the Tahoe Basin as described in Section 15.48.120**, the following grading may be done without obtaining a permit. Exemption from the requirement of a permit shall not be deemed permission to violate any provision of this article.

A. Minor projects which have cuts or fills, each of which is less than four feet in vertical depth at its deepest point measured from the existing ground surface, and which meet all of the following criteria:

1. Less than two hundred fifty (250) cubic yards of graded material in a single area, within a two-year period. In calculating the graded material quantity, excavation material used as fill material will not be counted twice. (For example: one hundred twenty-five (125) cubic yards [C.Y.] of excavation material that is also placed as fill material would be calculated as one hundred twenty-five (125) cubic yards, not as 125 C.Y. + 125 C.Y. = 250 C.Y.;
2. The removal, plowing under or burial of less than ten thousand (10,000) square feet of vegetation on slopes ten (10) percent or greater or any amount of vegetation on slopes less than ten percent on areas of land less than one acre within a two-year period;
3. Does not create unstable or erodible slopes;
4. Does not encroach onto sewage disposal systems including leach field areas;
5. Does not encroach into the areas designated as Zone A as shown on the Flood Insurance Rate Maps;
6. Does not obstruct any watercourse, **disturb, or negatively impact any drainage way, wetland, stream environment zone, water body;**
7. Does not divert or obstruct overland flow, or negatively affect other adjacent properties;
8. **Includes provisions to effectively prevent discharges of pollutants from the site; and,**
9. **Provides for completion of soil disturbing activities within a continuous period of 45 days, and revegetation of all disturbed areas immediately thereafter.**

B. Grading done by or under the supervision or construction control of a public agency that assumes full responsibility for the work.

C. Excavations, (but not fill operations) in connection with a swimming pool authorized by a valid building permit. Any swimming pool fill operation must comply with Section 15.48.060(D) to be exempt.

D. Retaining walls less than four feet in height, as measured from bottom of footing to the top of the wall, and not subject to surcharge.

E. Grading necessary for agricultural operations unless such grading will create a cut or fill whose failure could endanger any structure intended for human or animal occupancy or any public road, or could obstruct any watercourse or drainage conduit.

F. Trenching and grading incidental to the construction or installation of approved underground pipe lines, septic tank disposal fields, conduits,

electrical or communication facilities, and drilling or excavation for post holes or approved wells.

G. Excavations less than two hundred fifty (250) cubic yards for soil or geological investigations by a geotechnical engineer, civil engineer, or engineering geologist.

H. Grading in accordance with plans incorporated in an approved surface mining permit, reclamation plan, or sanitary landfill or environmental remediation project or petroleum product tank removal and installation where governed by other state or county ordinance.

I. Maintenance of existing firebreaks and roads to keep the firebreak or road substantially in its original condition.

J. Routine cemetery excavations and fills.

K. Performance of emergency work necessary to protect life or property when an urgent necessity ~~therefor~~ arises. The person performing such emergency work shall notify the community development resource agency ~~or the director of public works~~ promptly of the problem and work required and shall apply for a permit within ten (10) calendar days after commencing such work.

L. An excavation below finished grade for basements and footings of a building authorized by a valid building permit.

M. Timber harvest operation conducted under valid state or federal permit, stream alteration permits, dams under, state jurisdiction, etc."

5. Section 15.48.080 of the Placer County Code is hereby amended and restated in its entirety as follows:

15.48.080 Fees.

A. The schedule of fees and costs shall be those established and adopted by the board from time to time by resolution or ordinance. Before a permit is issued, the applicant shall deposit with the community development resource agency cash or a check, in a sufficient sum to cover the fee for issuance of the permit, charges for review of plans, specifications and reports, other engineering services, field investigations, necessary inspection or other work and routine laboratory tests of materials and compaction, all in accordance with schedules established and adopted by the board.

B. No fee shall be required of public agencies.

C. Public utilities may, at the option of the community development resource agency, make payment for the above charges as billed ~~by the director of public works~~ instead of by advance deposit as required above.

D. If grading work is done in violation of this article or such work is not done in accordance with an approved permit, a fee covering investigation of any violation and inspection and plan checking of work required to correct such violation shall be charged to the violator to cover all actual costs."

6. Section 15.48.100 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.100 Construction in public rights-of-way.

No person shall perform any grading work within the right-of-way of a public road or street, or within a public easement, without prior written approval of the agency director of public works."

7. Section 15.48.110 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.110 Hazards.

If the community development resource agency director ~~or the director of public works~~ determines that any grading on private or public property constitutes a hazard to public safety; endangers property; adversely affects the safety, use or stability of adjacent property; an overhead or underground utility, or a public way, watercourse or drainage channel; or could adversely affect the water quality of any water bodies or watercourses, the director may issue a stop work notice to the owner of the property upon which the condition is located, or other person or agent in control of such property. Upon receipt of such stop work notice, the recipient shall, within the period specified therein, stop all work, obtain a grading permit and conform to the conditions of such permit. The community development resource agency ~~or the director of public works~~ may require the submission of plans or soil or geological reports, detailed construction recommendations, drainage study or other engineering data prior to and in connection with any corrective or proposed work or activity."

8. Section 15.48.120 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.120 Tahoe Basin area special restrictions and exemptions.

A. Provisions of this section apply to the unincorporated area of Placer County within that area defined as "TRPA region" in the Tahoe Regional Planning Agency Compact. This area is the Tahoe Basin and that additional and adjacent part of the county of Placer outside of the Tahoe Basin in the state of California which lies southward and eastward of a line starting at the intersection of the basin crestline and the north boundary of Section 1, thence west to the northwest corner of Section 3, thence south to the intersection of the basin crestline and the west boundary of Section 10; all sections referring to township 15 north, range 16 east, M.D.B. and M.

B. Grading and soil disturbance shall be prohibited during the period from October 15th through May 1st unless otherwise provided by this article approved, in writing, by the agency director and by the Tahoe Regional Planning Agency and Lahontan Regional Water Quality Control Board. The County may require Complete winterization of any project after the site is required by October 15th, if work is not complete and permanent revegetation is not established.

C. All work shall be in conformity with any grading restriction required by other federal, state, or local agencies.

D. A permit for grading on residential property issued by the Tahoe Regional Planning Agency will be evidence of conformity to provisions of this section. All other grading ~~on other than single family residential property~~ in the region, **unless otherwise exempt as provided herein**, is subject to review and approval by the ~~Placer County public works department~~ community development resource agency.

E. Areas of the site not approved for grading, vegetation removal, or construction shall be fenced or otherwise marked to limit access. These fences shall be inspected, maintained, and repaired as necessary.

F. Prior to initiation of grading or construction-related activity, temporary erosion control measures shall be installed to prevent transport of earthen materials and other wastes off of the site.

E.G. All other applicable provisions of this article shall apply, but a permit shall not be required if the work complies with all the following conditions:

1. The excavation does not exceed four feet in vertical depth at its deepest point measured from the original ground surface, does not exceed two hundred (200) square feet in area, and does not exceed three cubic yards per site.

2. The fill does not exceed three feet in vertical depth at its deepest point measured from the original ground surface, the fill material does not cover more than two hundred (200) square feet, and does not exceed three cubic yards per site.

3. **The c**Clearing of vegetation ~~which~~ does not exceed one thousand (1,000) square feet in area.

~~F. All grading activities east of the Sierra crest and outside the TRPA region are prohibited between October 15th and May 1st without written approval of the community development/resource agency."~~

9. Section 15.48.220 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.220 Notice to adjacent utility owners.

Applicant shall provide, with the application, documentation that he or she shall have notified by mail the owners of utilities on or abutting the site that an application for a grading permit has been submitted to the county. The notice shall state that the utilities must provide comments to Placer County within thirty (30) calendar days of the date the notice is received by the utility. No permit shall be issued until the utility has either approved the application or the thirty (30) day period has expired. This section may be waived by the **agency** director in his/her sole discretion."

10. Section 15.48.240(D) is hereby added to the Placer County Code and reads in its entirety as follows:

"D. All grading activities east of the Sierra crest (excluding the "TRPA region" as specified in Section 15.48.120) are prohibited between October 15th and May 1st without written approval of the agency director and the Lahontan Regional Water Quality Control Board."

11. Section 15.48.270 of the Placer County Code is hereby amended and restated in its entirety as follows:

" 15.48.270 Time limits.

A. The permittee shall perform and complete all the work required by the permit within time limits specified in the permit. If the work cannot be completed within the specified time, a request for an extension of time setting forth the reasons for the requested extension shall be presented in writing to the community development resource agency no later than thirty (30) days prior to the expiration of the permit. The community development resource agency may grant additional time for the permitted work to be completed.

B. If all of the permit work required is not completed within the time limit specified in subsection A of this section, no further grading shall be done without renewing the permit. A written request for renewal shall be submitted to the agency director of ~~public works~~ who may require a new application and fees depending upon the time between the expiration date and the renewal request, revisions in county regulations, and/or changed circumstances in the immediate area. Any revised plan shall be submitted to the community development resource agency for review, and any costs thereof shall be at the applicant's expense."

12. Section 15.48.300 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.300 Application--Plans.

A. Each application for a grading permit shall include the following:

1. A completed application form;
2. Two complete sets of grading plans;
3. Profiles, cross sections, and specifications as required;
4. A complete drainage report as required by the community development resource agency;
5. The application fee as determined by the board of supervisors.

6. Where applicable, evidence of coverage, or application for coverage, under an NPDES General Construction Permit.

B. The plans and other documents will be reviewed by the community development resource agency. The applicant and/or project engineer will be notified of any necessary changes to the plans. When the plans and other

documents have been approved by the community development resource agency, a grading permit will be issued for the project. All work must be done in strict conformance with the approved plans and documents. The approved plans shall not be changed or altered except in accordance with the provisions of this article."

13. Section 15.48.360 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.360 Geotechnical investigation required.

A soil or geologic investigation report shall accompany the application in any of the following circumstances when required by the agency director:

- A. When the proposed grading includes a cut or fill exceeding ten (10) feet in depth at any point; however, for vehicular ways, a soil investigation shall not be required unless the grading includes a proposed cut or fill that exceeds ten (10) feet in depth and the slope of the natural ground exceeds thirty (30) percent;
- B. When highly expansive soils are present;
- C. In areas of known or suspected geological hazards, including landslide hazards and hazards of ground failure stemming from seismically induced ground shaking."

14. Section 15.48.470 of the Placer County Code is hereby amended and restated in its entirety as follows:

15.48.470 Performance of work--Inspection/certification.

The community development resource agency may inspect any work or require certification by private engineer of any work done under a grading permit. No permittee shall be deemed to have complied with this article unless one of the following has occurred:

- A. A final inspection approval has been issued by the community development resource agency ~~department of public works~~, or;
- B. Submittal of certification of completion by the civil engineer or the geotechnical engineer of record, has been accepted by the community development resource agency, or;
- C. The final inspection has been waived in writing by the community development resource agency.

The permittee shall provide adequate access to the site for inspection by the community development resource agency during the performance of all work and for a minimum period of one year after completion of the work.

If the engineer of record is changed during the grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the agency director in writing of such change prior to the recommencement of such grading."

15. Section 15.48.560 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.560 Setbacks--General.

Unless otherwise recommended in a soil or geologic investigation report, **Appendix 33** ~~Chapter 29 and 70~~ of the latest county adopted version of the Uniform Building Code shall be used for establishing setbacks for property boundaries, buildings and structures other than fences and retaining walls."

16. Section 15.48.570 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.570 Drainage--General.

Any drainage structure(s) or device(s) carrying surface water runoff required by this article shall be designed and constructed in accordance with standards herein, the current Placer County flood control and water conservation district stormwater management manual and criteria authorized by the **agency director** ~~director of public works~~."

17. Section 15.48.630 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.630 Erosion and sediment control.

The following shall apply to the control of erosion and sediment from grading operations:

A. Grading plans shall be designed with long-term erosion and sediment control as a primary consideration. **Erosion prevention and source control are to be emphasized over sediment controls and treatment.**

B. ~~Grading operations during the rainy season shall provide erosion and sediment control measures except upon a clear demonstration, to the satisfaction of the community development resource agency or the Department of Public Works, as appropriate, that at no stage of the work will there be any substantial risk of increased sediment discharge from the site.~~ **Temporary mulch, revegetation, or other stabilization methods shall be applied to areas where permanent revegetation or landscaping cannot be immediately implemented. Unless otherwise exempted in this Article, grading activity must be scheduled to ensure completion or winterization by October 15 of each year.**

C. ~~Should grading be permitted during the rainy season, the~~ **Grading activity shall be conducted such that the** smallest practicable area of erodible land shall be ~~is~~ exposed at any one time during grading operations and the time of exposure shall be ~~is~~ minimized. **Land disturbance shall be limited to the minimum area necessary for construction.**

D. Natural features, including vegetation, terrain, watercourses and similar resources shall be **protected and** preserved wherever possible. Units of

grading shall be clearly defined and marked to prevent damage by construction equipment.

E. Permanent vegetation and structures for erosion and sediment control shall be installed as soon as possible.

F. Adequate provision shall be made for ~~long-term effective~~ maintenance of **temporary and** permanent erosion and sediment control structures and vegetation. **Sediment and other construction-related wastes shall be retained and properly managed on the site or properly disposed of off site.**

G. No topsoil shall be removed from the site unless otherwise directed or approved by the community development resource agency. Topsoil overburden shall be stockpiled and redistributed where appropriate within the graded area after rough grading to provide a suitable base for seeding and planting. Runoff from the stockpiled area shall be controlled to prevent erosion and resultant sedimentation of receiving water.

H. Runoff shall not be discharged from the site in quantities or at velocities substantially above those, which occurred before grading except into drainage facilities, whose design has been specifically approved by the community development resource agency.

I. The permittee shall take reasonable precautions to ensure that vehicles do not track or spill earth materials into public streets and shall immediately remove such materials if this occurs. (Ord. 5373-B (part), 2005; Ord. 5056-B (part), 2000)

J. **All cut and fill slopes shall be adequately stabilized to prevent erosion and failure through temporary and permanent means.**

K. **Control measures shall be employed to prevent transport of dust off the project site or in to any drainage course or water body."**

18. Section 15.48.640 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.640 Emergency conditions.

Should increased sediment discharge occur or become imminent, the permittee shall take all necessary steps to control or reduce such discharge. Such steps may include construction of additional facilities or removal or alteration of facilities required by approved erosion and sediment control plans. Facilities removed or altered shall be restored as soon as possible afterward or appropriate changes in the plan shall be immediately required pursuant to this article. The permittee shall take prompt action to resolve emergency problems; otherwise the community development resource agency ~~or the director of public works~~ may institute abatement proceedings pursuant to provisions of Section 15.48.700(B)."

19. Section 15.48.650 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.650 Erosion and sediment control plans.

Erosion and sediment control plans prepared pursuant to this article shall comply with all of the following:

A. The erosion and sediment control plan need not be a separate sheet if all facilities and measures can be shown on the grading sheets without obscuring the clarity of either the grading plan or the erosion and sediment control plan.

B. An erosion and sediment control plan shall be required whenever:

1. The graded portion of the site includes more than ten thousand (10,000) square feet of area having a slope greater than ten (10) percent; or
2. Clearing and grubbing of areas of one acre or more regardless of slope; or
3. There is a significant risk that more than two thousand five hundred (2,500) square feet will be unprotected or inadequately protected from erosion during any portion of the rainy season; or
4. Grading will occur within fifty (50) feet of any watercourse; or
5. The community development resource agency determines that the grading will or may pose a significant erosion, or sediment discharge hazard for any reason.

6. The site is located within the Tahoe Basin.

C. **Except as provided in Article 15.48.120, s**Sediment and erosion control measures must be in place or be capable of being placed within twenty-four (24) hours, in the opinion of the **agency** director, by October 15. The **agency** director may require suspension of any and all grading activities between October 15 and May 1 without prior notice.

D. The applicant shall submit with the erosion and sediment control plans, a detailed, cost estimate covering this work.

E. Erosion and sediment control plans shall include an effective revegetation program to stabilize all disturbed areas, which will not be otherwise protected. All such areas where grading has been completed between April 1 and October 15 shall be planted by November 1. Graded areas completed at other times of the year shall be planted within fifteen (15) days. If revegetation is infeasible or cannot be expected to stabilize an erodible area with assurance during any part of the rainy season and the unstable area exceeds two thousand five hundred (2,500) square feet, additional erosion and sediment control measures or irrigation of planted slopes may be required as appropriate to prevent increased sediment discharge.

F. Erosion and sediment control plans shall be designed to prevent increased discharge of sediment at all stages of grading and development from initial disturbance of the ground to project completion. Every feasible effort shall be made to ensure that site stabilization is permanent. Plans shall indicate the implementation period and the stage of construction where applicable.

G. Erosion and sediment control plans shall comply with the recommendations of the responsible civil engineer, geotechnical engineer, engineering geologist, or landscape architect involved in preparation of the grading plans.

H. The structural and hydraulic adequacy of all storm water containment or conveyance facilities shown on the erosion and sediment control plans shall be verified by a civil engineer, and he shall so attest on the plans. Sufficient calculations and supporting material to demonstrate such adequacy shall accompany the plans when submitted.

I. Erosion and sediment control plans shall be designed to meet anticipated field conditions.

J. Erosion and sediment control plans shall provide for inspection and repair of all erosion and sediment control facilities at the close of each working day during the rainy season and for specific sediment cleanout and vegetation maintenance criteria.

K. Erosion and sediment control plans shall comply with any and all standards and specifications adopted herein for the control of erosion and sedimentation on grading sites. These standards and specifications shall be in general compliance with the current Erosion and Sediment Control Guidelines for Developing Areas of the Sierras published by the High Sierra Resource Conservation District."

20. Section 15.48.670 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.670 Vehicular ways--Drainage.

Vehicular ways shall be graded and drained in such a manner that will not allow erosion or endanger the stability of any adjacent slope. Surface discharge onto adjoining property shall be controlled in such a manner that it does not cause erosion or endanger existing improvements. Bridges and culverts installed in watercourses may be reviewed by the Placer County flood control and water conservation district and must be approved by the agency director ~~public works director~~ and any other required permitting agency."

21. Section 15.48.710 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.710 Stop work orders.

A. Whenever any person is performing work in violation of the provisions of this article, the agency director may issue a written order to the responsible party to stop work on the portion of the work where the violation has occurred or upon which the danger exists. If there are no persons present on the premises, the notice may be posted in a conspicuous place. The notice shall state the nature of the violation.

B. Upon receipt of such stop work order the person performing the work shall:

1. Stop work immediately; and
2. Within twenty-four (24) hours provide the **agency** director with a list of remedies which can be immediately undertaken to bring the work into compliance with this article; and
3. Within twenty-four (24) hours after approval of a remedy by the **agency** director undertake, at the violator's sole expense, such action as is necessary to bring the work into compliance with this article.

C. If the responsible party fails to comply with the stop work order served pursuant to this section, the county may use any and all remedies available to it under this article, in law, or in equity, including but not limited to: shutting down all work on the site, performing the corrective work either with county crews or by contract, or arresting the responsible party for violation of this article. "

22. Section 15.48.730 of the Placer County Code is hereby amended and restated in its entirety as follows:

"15.48.730 Investigation fees/work without a permit.

Whenever any work for which a permit is required by this article has been commenced without first obtaining the permit, the **agency** director shall require an investigation before issuing a permit for such work. In this case, the violator shall be charged for the department's labor and costs incurred during the investigation, in addition to the regular permit fees."

23. Section 15.48.740 is hereby added to the Placer County Code and reads in its entirety as follows:

"15.48.740 Community Development Resource Agency Director Delegation. The agency director shall be authorized to delegate any of his/her duties under this Article to other County officer(s)."